

Strike out all after the "years" in line 16, section 4, down to the last word in the line.

SENATOR BURNKY

Favored and

SENATORS ALLEN AND GLASSCOCK

Opposed the substitute.

SENATOR CLAIBORNE

Moved to adjourn till 8 o'clock p. m.

SENATOR STINSON

Moved to adjourn till 10 o'clock to-morrow morning.

The last motion was adopted, and the Senate adjourned till 10 o'clock to-morrow morning.

FIFTY-FIFTH DAY.

SENATE CHAMBER, }
AUSTIN, March 15, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

BY SENATOR HOUSTON:

Petition of citizens of Young county regarding the hog law.

Referred to Committee on Stock and Stockraising.

BY SENATOR DOUGLASS OF GRAYSON:

Petition of citizens of Grayson county against the high license liquor bill.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

BY SENATOR FRANK:

SENATE CHAMBER, }
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate joint resolution No. 23,

"Amending section 10, article 8 of the Constitution of the State of Texas, under the title of 'Taxation and Revenue,'" and find the same correctly engrossed."

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate bill No. 265, entitled,

"An act to amend Article 4702, chapter 3, title 95, of the Revised Civil Statutes of the State of Texas, relating to the oath administered by assessors of taxes rendering property for taxation," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills, have carefully examined Senate bill No. 261, entitled:

"An act to provide for the purchase of a site for, and the establishment, location, construction and maintenance of, a State orphan asylum," and find the same correctly engrossed.

FRANK, chairman.

BY SENATOR TERRELL:

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 126, entitled:

"An act to amend Articles 963, 964, and to create Article 964a, title 24, of the Revised Statutes, so as to require the payment of interest on registered claims against counties," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 183, entitled:

"An act to amend Article 1198, chapter 4, title 29, of the Revised Civil Statutes of the State of Texas, in regard to the bringing of suits," have had the same under consideration, and

instruct me to report it back to the Senate favorably, with the recommendation that it do lie upon the table subject to call.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, whom was referred House bill No. 150, entitled:

"An act to amend section 3 of an act entitled 'an act to amend Articles 4662, 4664 and 4665, chapter 1, title 95, of the Revised Statutes, as amended March 24, 1881,' approved May 4, 1881, relating to occupation taxes," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be referred to the Committee on Finance.

All of which is respectfully submitted.

TERRELL, chairman.

Bill ordered referred to Committee on Finance.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Judiciary No. 1, to whom was referred House bill No. 119, entitled:

"An act creating boards of equalization for cities and towns, and defining their duties have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be referred to the Committee on Finance.

All of which is respectfully submitted.

TERRELL, chairman.

Bill ordered referred to Committee on Finance.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 332, entitled:

"An act to amend Article 4724, chapter 3, title 1, of the Revised Civil Statutes, as amended by an act passed at the regular session of the Eighteenth Legislature, to fix and equalize compensation of assessors of taxes, approved March 28, 1883" have the same under consideration and instruct me to re-

port it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887, }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 196, entitled:

"An act to amend Article 3014, chapter 1, title 57 of the Revised Civil Statutes of the State of Texas," relating to exemptions from jury service, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 138, entitled:

"An act to amend chapter 14, title 29, of the Revised Civil Statutes of Texas by adding thereto Article 1350a, providing when judgments shall become dormant and barred by limitation, and when executions may issue thereon," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 211, entitled:

"An act to amend Articles 4604 and 4605, title 93, chapter 4, of the Revised Statutes of the State of Texas, to provide for preventing certain animals from running at large in certain counties and sub-divisions," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 322, entitled:

"An act to amend Article 2212, chapter 1, title 38, of the Revised Civil Statutes of the State of Texas, relating to attendance of witnesses in civil suits," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 302, entitled:

"An act to regulate the payment of wages of laborers and employes, and to forbid the payment of laborers and employes of corporations and others in store orders, or orders for merchandise, and to provide penalties for the same," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 309, entitled:

"An act to amend chapter 2, Article 566, of the Revised Civil Statutes, and the act amendatory thereto under chapter 61 of the act approved March 27, 1885, defining the purposes for which private corporations may be organized and chartered," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 321, entitled:

"An act to amend Article 703, chapter 5, title 22, of the Revised Civil Statutes of the State of Texas relating to elections for county seats," etc., have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 325, entitled:

"An act to amend Article 1420, chapter 20, title 29, of the Revised Civil Statutes of the State of Texas, relating to payment of costs in civil cases," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR BURNEY:

"A bill to be entitled an act to authorize the Governor to appoint State revenue inspectors, defining their duties, fixing their salaries and making an appropriation therefor."

Referred to Committee on Finance.

BY SENATOR TERRELL:

"Joint resolution to amend article 5 of the Constitution."

Referred to Committee on Constitutional Amendments.

The joint resolution relates to the judiciary.

On motion of Senator Upshaw, Senate bill No. 323 was taken up and made the special order for tomorrow after morning call.

The Senate resumed consideration of Senate bill No. 200 (relating to the validation of land patents in Greer county).

SENATOR TERRELL

Continued his argument in favor of the bill.

(Senator Douglass of Grayson, in the chair).

SENATOR HOUSTON

Opposed the bill, and favored the motion.

SENATOR MACMANUS

Favored the bill and opposed the motion.

(The President in the chair.)

SENATOR HARRISON

Spoke at length against the bill.

(Senator Woodward in the chair.)

SENATOR TERRELL

Spoke in favor of the bill.

(The President in the chair.)

SENATOR HOUSTON

Argued at length against the bill.

SENATOR BURGESS

Argued at length in favor of the bill and against the minority report.

SENATOR CLAIBORNE

Moved the previous question on the motion to substitute the minority for the majority report.

Seconded and main question ordered.

The motion to substitute the minority report, killing the bill, for the majority report, was adopted by the following vote:

YEAS—15.

Abercrombie,	Garrison,
Allen,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Camp,	Jarvis,
Davis,	Simkins,
Douglass of J,	Woods.
Frank,	

NAYS—13.

Burges,	Lane,
Burney,	MacManus,
Calhoun,	Stinson,
Claiborne,	Terrell,
Douglass of G,	Upshaw,
Glasscock,	Woodward,
Knittle,	

Senator McDonald announced a pair with Senator Pope; the former would have voted yea, the latter nay.

SENATOR BELL

Moved to adopt the minority report, which killed the bill, as substituted for the majority report.

Adopted by the following vote:

YEAS—15.

Abercrombie,	Garrison,
Allen,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Camp,	Jarvis,
Davis,	Simkins,
Douglass of J,	Woods.
Frank,	

NAYS—13.

Burges,	Lane,
Burney,	MacManus,
Calhoun,	Stinson,
Claiborne,	Terrell,
Douglass of G,	Upshaw,
Glasscock,	Woodward.
Knittle,	

Senator McDonald announced a pair with Senator Pope; the former would have voted yea, the latter nay.

SENATOR HOUSTON,

By leave,

Sent up the following committee reports:

COMMITTEE ROOM. }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 26,

"Amending Article 5 of the Constitution," have carefully examined the same, and instruct me to report it back with the recommendation that it do pass.

HOUSTON, chairman.

Joint resolution read first time.

COMMITTEE ROOM, }
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Constitutional Amendments, to whom was referred Senate joint resolution No. 25, being:

"Joint resolution to amend Article 2, section 9, of the Constitution of the State of Texas," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.
HOUSTON, chairman.

Joint resolution read second time.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 39.

"An act to amend section 46, chapter 25, of the acts of 1885, entitled 'An act to amend chapter 79, of the acts of 1883, entitled, 'An act to amend section 46, of an act to encourage stock-raising and to protect stockraisers. Approved April 22, 1879, and amended April 4, 1881, and April 12, 1883.'"

And that the House has passed Substitute House bill No. 194.

"An act to amend Article 683, chapter 3, title 17, of the Penal Code, and to create Article 683a, and add to said chapter, so as to prescribe a penalty for wilfully and maliciously injuring or destroying property of another where the injury done exceeds in amount the sum of twenty dollars."

Also,

House bill No. 202.

"An act to protect public bridges and to make it an offense to ride or drive animals over a public bridge faster than a walk, and to prescribe a penalty therefor."

Also,

House bill No. 453:

"An act authorizing A. Wyschetsky to sue the State of Texas upon an account for services rendered the State for surveying and running connecting lines in the counties of Webb, Dimmit, Maverick, LaSalle, Zavalla and Kinney."

Respectfully,

GEO. W. FINGER,

Acting Chief Clerk House of Representatives,

THE PRESIDENT

Gave notice of signing House bill No. 92.

"An act to amend Article 4480 of the Revised Civil Statutes of the State of Texas."

House bill No. 115.

"An act to restore the civil jurisdiction of the county court of Bosque county, and to repeal all laws in conflict herewith."

House bill No. 172

"An act to authorize and require the Commissioner of the General Land

Office to issue a patent to the heirs of Wilhelm Kuhlman for 320 acres of land, located in Gillespie county, December 1, 1879, by virtue of scrip No. 5," and,

Substitute House bill, No. 375,

"An act to amend section 2, of an act to redistrict the State into judicial districts and to fix the time for holding courts therein, etc."

On motion of Senator Woods,

The Senate adjourned till 3 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

The Senate resumed consideration of House bill No. 101 (occupation tax bill on liquors), with amendment of Senator Allen and substitute of Senator Burney pending.

SENATOR BURNLEY

Withdrew his substitute.

SENATOR ALLEN

Withdrew his amendment.

SENATOR BELL

Moved to

Amend by striking out the word "billiard," in line 1. and first word "table," in line 8.

SENATORS CALHOUN AND ALLEN

Opposed the amendment.

SENATORS BELL AND GLASSCOCK

Favored the amendment and it was adopted.

SENATOR CLAIBORNE

Moved to "strike out 'pool table' in line 8, section 4, page 3."

(Senator Camp in the chair.)

SENATOR CLAIBORNE

Spoke in favor of the amendment,

And

SENATOR BELL

Opposed it and it was lost.

SENATOR WOODWARD

Moved to amend by striking out the word "knowingly," in line 17, page 3.

SENATOR BELL

Opposed, and

SENATOR CLAIBORNE

Favored the amendment.

The amendment was lost by the following vote:

YEAS—4.

Gregg,	Stinson,
Knittle,	Upshaw,
MacManus,	Woodward.

NAYS—21.

Abercrombie,	Frank,
Allen,	Glasscock,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	Simkins,
Claiborne,	Terrell,
Davis,	Woods,
Douglass of G.	

ABSENT—2.

Douglass, of J., [X] Garrison.

SENATOR CLAIBORNE

Offered the following amendment:

"After the word 'writing' in lines 17 and 18, section 4, page 2, add, 'through the sheriff or other peace officers of city, county or town.'"

SENATOR BELL

Favored the amendment, and it was adopted.

(The President in the chair.)

SENATOR ARMISTEAD

Moved to amend the bill as follows:

"Amend engrossed rider by striking out in line 1, the words 'tax collector,' and insert 'county clerk;' and strike out the word 'license,' in the amendment to line 13, page 4, in first line of second part of engrossed rider and insert 'occupation tax receipt.'"

SENATOR BELL

Called for a division of the amendment.

The first part of the amendment was acted on and adopted.

The second part of the amendment was adopted.

SENATOR LANE

Moved to amend by striking out the words "profit, amusement or other," in line 6, page 3, and insert the word "gambling."

SENATOR LANE

Spoke in favor of the amendment,

And,

It was adopted.

SENATOR CLAIBORNE

Offered the following amendment:

"After the word 'business' in line 3, section 4, add: 'unless said minor be in the discharge of legitimate business.'"

SENATOR GREGG

Opposed the amendment,

And,

It was lost.

SENATOR ARMISTEAD

Moved to amend by adding after the words, "medicated bitters" wherever they appear in the bill, the words "capable of producing intoxication."

SENATOR SIMKINS

Moved the previous question on the amendment and the bill. Seconded and main question ordered.

The amendment was adopted.

The Senate refused to pass the bill to third reading by the following vote:

YEAS—11.

Allen,	Harrison,
Armistead,	Jarvis,
Bell,	McDonald,
Davis,	Simkins,
Douglass of G,	Woods.
Frank,	

NAYS—16.

Abercrombie,	Houston,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	MacManus,
Camp,	Stinson,
Claiborne,	Terrell,
Glasscock,	Upshaw,
Gregg,	Woodward.

ABSENT—2.

Douglass of J, Garrison.

SENATOR GLASSCOCK

Moved to reconsider the vote just taken, and moved to lay that motion on the table.

SENATOR BELL

Moved a call of the Senate.

Call sustained.

Roll called and Senator Garrison was found to be absent without leave.

The Sergeant-at-Arms was dispatched to bring in the absent Senator.

On motion of Senator Harrison the call was suspended.

SENATOR GLASSCOCK

Withdrew his motion.

SENATOR TERRELL

Moved to reconsider the vote by which the bill was lost.

SENATOR WOODWARD

Moved to lay the motion on the table.

The motion to lay the motion on the table was lost by the following vote:

YEAS—12.

Abercrombie,	Houston,
Burges,	Knittle,
Burney,	Lane,
Camp,	MacManus,
Claiborne,	Stinson,
Glasscock,	Woodward.

NAYS—15.

Allen,	Harrison,
Armistead,	Jarvis,
Bell,	McDonald,
Calhoun,	Simkins,
Davis,	Terrell,
Douglass of G,	Upshaw,
Frank,	Woods.
Gregg,	

ABSENT—1.

Garrison.

Senator Douglass of Jefferson, announced a pair with Senator Pope; the former would have voted nay, the latter yea.

The motion to reconsider the vote was adopted by the following vote:

YEAS—14.

Allen,	Gregg,
Armistead,	Harrison,
Bell,	Jarvis,
Calhoun,	McDonald,
Davis,	Simkins,
Douglass of G,	Upshaw,
Frank,	Woods.

NAYS—13.

Abercrombie,	Knittle,
Burges,	Lane,
Burney,	MacManus,
Camp,	Stinson,
Claiborne,	Terrell,
Glasscock,	Woodward.
Houston,	

ABSENT—1.

Garrison.

Senator Douglass of Jefferson, announced a pair with Senator Pope; the former would have voted yea, the latter nay.

SENATOR ARMISTEAD

Moved to "strike out from line 1, page 2, where it first occurs to line 14, inclusive, and conform the caption of the bill thereto."

Adopted by the following vote:

YEAS—25.

Abercrombie,	Gregg,
Allen,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	MacManus,
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of J.	Upshaw,
Douglass of G,	Woodward.
Glasscock,	

NAYS—3.

Frank,	Woods.
McDonald,	

ABSENT—1.

Garrison.

SENATOR TERRELL

Moved to amend by inserting in line 13, page 5, between the words "shall" and "apply," the word "not."

SENATOR ALLEN

Opposed the amendment.

It was adopted.

(Senator Terrell in the chair.)

SENATOR LANE

Moved to amend by striking out the word "music" in line 3, page 5.

SENATOR LANE

Spoke in favor of the amendment,

And,

It was adopted by the following vote:

YEAS—15.

Abercrombie,	Houston,
Armistead,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Camp,	Stinson.
Douglass of J,	Upshaw,
Frank,	Woodward.
Glasscock,	

NAYS—13.

Allen,	Harrison,
Bell,	McDonald,
Calhoun,	MacManus,
Claiborne,	Simkins,
Davis,	Terrell,
Douglass of G,	Woods.
Gregg,	

ABSENT—1.

Garrison,

SENATOR BURNEY

Moved to amend by striking out the word "and," in line 13, page 5, and insert "nor."

Adopted.

SENATOR BELL

Moved the previous question; seconded and the main question ordered.

The bill was passed to third reading by the following vote:

YEAS—21.

Abercrombie,	Harrison,
Allen,	Jarvis,
Armistead,	Knittle,
Bell,	McDonald,
Burney,	Simkins.
Calhoun,	Stinson
Davis,	Terrell,
Douglass of G,	Upshaw.
Frank,	Woods,
Glasscock,	Woodward.
Gregg,	

NAYS—6

Burges,	Houston,
Camp,	Lane,
Claiborne,	MacManus,

ABSENT—1.

Garrison.

On motion of Senator Bell, Senator Douglass of Jefferson, was excused from voting on the bill.

The following message was received from the House.

HOUSE OF REPRESENTATIVES, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed the following bills:

House bill No. 387.

"An act to create the counties of Sutton and Will Wilson, from the county of Crockett."

Also,

House bill No. 507.

"An act to create the forty-first judicial district, and to provide for the appointment of district judge and district attorney therein, and to provide the times of holding the terms of the district court in said district."

Also,

House bill No. 545.

"An act to amend Articles 1006 and 1008 of act passed by the Nineteenth Legislature, approved March 26, 1885, entitled 'an act to amend Articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas,' approved February 21, 1879, passed by the Eighteenth Legislature, and approved April 9, 1883."

Also,

House bill No. 559.

"An act to repeal chapter 95 of the General Laws of the State of Texas, passed at the regular session of the Sixteenth Legislature."

Also,

That the House has adopted the free conference report on Senate bill No. 4, entitled:

"An act to amend Article 3200 of the Revised Civil Statutes of the State of Texas."

Respectfully,

GEO. W. FINGER,
Acting Chief Clerk of the House of Representatives.
(The President in the chair.)

THE PRESIDENT

Referred House bills Nos. 453, 559 and 545 to Judiciary Committee No. 1.

And,

Substitute House bill No. 194 and House bill No. 202 to Judiciary Committee No. 2.

And,

House bill No. 507 to Committee on Judicial Districts.

And,

House bill No. 337 to Committee on Counties and County Boundaries.

THE PRESIDENT

Gave notice of signing House bill No. 219.

"An act to validate the purchase by Pierce Johnston, from the State of Texas, of certain school sections of land lying in LaSalle county," and,

House bill No. 451,

"An act to amend Article 711 of the Revised Statutes, defining the boundaries of Aransas county."

SENATOR BURGESS

Entered a motion to reconsider the passage of House bill No. 94, and moved that the House be requested to return the bill to the Senate.

Adopted by the following vote:

YEAS—22,

Abercrombie,	Harrison,
Allen,	Houston,
Burgess,	Knittle,
Burney,	Laue,
Calhoun,	McDonald,
Camp,	MacManus,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of G,	Upshaw,
Frank,	Woods,
Gregg,	Woodward.

NAYS—6.

Armistead,	Glasscock,
Bell,	Jarvis,
Douglass of J,	Simkins.

ABSENT—1.

Garrison.

House bill No. 89.

"An act to amend an act passed at the regular session of the Eighteenth Legislature, and approved April 18, 1883, entitled 'an act to amend Articles 430, of section 1, and to repeal section 2, of an act entitled an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create Article 462½, and to repeal Article 430 of chapter 5, title 13, of the Penal Code of the Revised Statutes for the protection of fish and game,' approved March 15, 1881." was laid before the Senate, read third time and passed.

House bill No. 90.

"An act establishing the manner of ascertaining the boundaries of counties, and repealing all laws and parts

of laws in conflict with this act," was laid before the Senate and read second time with committee amendments.

The first, second and third committee amendments were adopted.

SENATOR GREGG

Moved to amend the fourth committee amendment, as follows:

"Amend fourth committee amendment by striking out words 'in' and 'cases' in line 1, and 'where any' in line 2, and change word 'boundary' in line 2 to word 'boundaries,' and strike out words 'has been' in line 2."

Adopted.

The fourth committee amended was adopted.

SENATOR JARVIS

offered the following amendment to the bill:

"Amend by adding section 11, and changing the number of sections eleven and twelve to twelve and thirteen.

"Section 11. When a line or lines have been heretofore surveyed, marked and defined between counties, it shall not be necessary to again survey, mark and define same, but in such case where a dispute arises between counties as to which is the true boundary line, or as to which one of two or more marked, surveyed and defined lines is the true boundary line between them, then either county may bring suit against the county or counties claiming adversely in the district court of any county adjacent to either of said counties not interested in the determination of the suit, to establish and determine such boundary line."

SENATOR JARVIS

Favored, and

SENATORS HOUSTON, HARRISON AND BELL

Opposed the amendment.

It was lost.

The bill was passed to third reading. House bill No. 103.

"An act to create Article 669a, title 8, chapter 5, of the Code of Criminal Procedure of the State of Texas, so as to provide the order in which defendants, charged with the same offense may be tried," was laid before the Senate, read third time and passed.

SENATOR HOUSTON

Moved to adjourn till 10 o'clock to-morrow morning.

Lost.

House bill No. 112.

"An act to prevent the detention of any railroad passenger train, freight train or construction train running upon any railroad in this State, or any injury thereto, or to the track or other property of any railroad in this State, and to prescribe the punishment therefor." was laid before the Senate, read third time and passed.

Substitute House bill No. 116.

"An act to repeal Articles 992, '93, '94, '95, '96, and 1001, and to amend Articles 988, 1002, 1008, 1012, of chapter 1, title 13, of the Code of Criminal Procedure, and Article 1000 of the Code of Criminal Procedure, amended by chapter 12, of the General Laws of the Eighteenth Legislature of the State of Texas," was taken up, read third time and passed.

By leave,

The following reports were sent up:

BY SENATOR HARRISON:

COMMITTEE ROOM, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 118, entitled:

"An act to authorize and require the Commissioner of the General Land Office of the State of Texas to issue patents to such lands as are or may be filed and located upon by virtue of certain land certificates issued under and by virtue of an act entitled 'an act for the relief of Z. C. Collier, Thomas Collier and Wm. Ramer, passed by the Nineteenth Legislature of the State of Texas,' have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie on the table.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your committee on Private Land claims, to whom was referred Senate bill No. 37, entitled

"An act to amend an act for the relief of Z. C. Collier, Thomas Collier and William Ramer, passed by the Nineteenth Legislature of the State of Texas, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass."

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

BY SENATOR HOUSTON:

COMMITTEE ROOM, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 20, being

"Bring joint resolution amending Article 10, section 2, of the Constitution of the State of Texas," have had the same under consideration and instruct me to report it back with the recommendation that it do pass,

All of which is respectfully submitted.

HOUSTON, chairman.

Joint resolution read first time.

House bill No. 121.

"An act to amend Article 2335, of chapter 1, of title 40, of the Revised Statutes of Texas," was laid before the Senate and read a third time.

SENATOR WOODS

Moved to postpone the bill indefinitely.

SENATOR WOODS

Spoke for and

SENATOR M'DONALD

Against the motion.

The motion was lost by the following vote:

YEAS—11.

Abercrombie,	Lane,
Allen,	Simkins,
Claborn,	Stinson,
Glasscock,	Terrell,
Jarvis,	Woods.
Knittle,	

NAYS—15.

Armistead,	Burney,
Bell,	Calhoun,
Burges,	Camp,

Davis,
Douglass of J,
Douglass of G,
Frank,
Gregg,

Harrison,
Houston,
McDonald,
Woodward.

ABSENT—3.

Garrison,
MacManus,

Upshaw.

The bill was passed by the following vote:

YEAS—15.

Armistead,
Bell,
Burges,
Burney,
Calhoun,
Camp,
Davis,
Douglass of J,

Frank,
Gregg,
Harrison,
Houston,
Jarvis,
McDonald,
Woodward.

NAYS—11.

Abercrombie,
Allen,
Claiborne,
Douglass of G,
Glasscock,
Knittle

Lane,
Simkins,
Stinson,
Terrell,
Woods,

ABSENT—3.

Garrison,
MacManus,

Upshaw.

House bill No. 122.

"An act to amend section 13 of an act entitled 'an act to amend section 13 of an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts, at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved March 31, 1885.'" was laid before the Senate and read third time.

SENATOR SIMKINS

Moved to amend by adding the words "an imperative public necessity and" before the words "an emergency."

Adopted by the following vote:

YEAS—26.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,

Calhoun,
Camp,
Claiborne,
Davis,
Douglass of J,
Douglass of G,

Frank,
Glasscock,
Gregg,
Harrison,
Houston,
Jarvis,
Knittle,

Lane,
McDonald,
Stinson,
Simkins,
Terrell,
Woods,
Woodward,

ABSENT—3.

Garrison,
MacManus,

Upshaw.

The bill was passed by the following vote:

YEAS—26.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,
Calhoun,
Camp,
Claiborne,
Davis,
Douglass of J,
Douglass of G,
Frank,

Glasscock,
Gregg,
Harrison,
Houston,
Jarvis,
Knittle,
Lane,
McDonald,
Simkins,
Stinson,
Terrell,
Woods,
Woodward.

ABSENT—3.

Garrison,
MacManus,

Upshaw.

On motion of Senator Terrell,
The Senate adjourned until 10 o'clock to-morrow morning.

FIFTY-SIXTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 16, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Armistead,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

BY SENATOR CLAIBORNE:

Petition of citizens of Matagorda and Colorado counties, asking manufactories to be exempted from taxation.

Referred to Committee on Commerce and Manufactories.